

Resolution No.: 05-02-14

Introduced: 05-12-14

Adopted: 05-12-14

Effective: 05-26-14

**BOARD OF MANAGERS**  
**FOR**  
**CHEVY CHASE VILLAGE, MD**

**SUBJECT: AN ORDINANCE TO AMEND CHAPTER 3,  
“PERSONNEL CODE”, BY ADDING SEC. 3-20, “RETIREMENT  
AND PENSION SYSTEMS”, TO AUTHORIZE THE BOARD OF  
MANAGERS TO ADOPT A RETIREMENT, PENSION OR  
SAVINGS PLAN FOR VILLAGE EMPLOYEES, AND TO  
DESIGNATE A SPECIFIC PLAN BY RESOLUTION.**

WHEREAS, §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, authorizes the Board of Managers to adopt such ordinances as it deems necessary to assure the good government of Chevy Chase Village; to protect and preserve the rights, property and privileges of the Village; to preserve peace and good order; to secure persons and property from danger and destruction; and to protect the health, comfort and convenience of Village residents; and

WHEREAS, §5-206 of the Local Government Article, Annotated Code of Maryland, authorizes the Board of Managers to provide a retirement or pension system for its officers and employees or to include its officers and employees in any retirement or pension system operated by or in conjunction with the State, on the terms and conditions set forth in State law.

CAPS  
[Brackets]  
Asterisks \* \* \*

: Indicate matter added to existing law.  
: Indicate matter deleted from law.  
: Indicate matter remaining unchanged in existing law but not set forth in Ordinance

WHEREAS, Section 77-14(a) of the Chevy Chase Village Charter authorizes the Board of Managers to adopt such ordinances as it deems necessary with respect to sanitation, care of property, and other police and health regulations; and

WHEREAS, after proper notice to the public, the Board of Managers conducted a public hearing at which it considered the following ordinance in public session assembled on the 12<sup>th</sup> day of May, 2014; and

WHEREAS, the Board of Managers finds that the ordinance as hereinafter set forth is necessary to assure the good government of the Village; for the protection and preservation of the Village's property, rights and privileges; for the preservation of peace and good order; for securing persons and property from violence, danger and destruction; and for the protection and promotion of the health, comfort, and convenience of the residents of the Village.

NOW THEREFORE, the Board of Managers of Chevy Chase Village does hereby adopt the following ordinance:

AN ORDINANCE TO AMEND CHAPTER 3, "PERSONNEL CODE", TO ADD SEC. 3-20, "RETIREMENT AND PENSION PLANS" TO AUTHORIZE THE BOARD OF MANAGERS TO ADOPT A RETIREMENT, PENSION OR SAVINGS PLAN FOR VILLAGE EMPLOYEES, AND TO DESIGNATE A SPECIFIC PLAN BY RESOLUTION.

SECTION 1.

BE IT ORDAINED AND ORDERED this 12<sup>th</sup> day of May, 2014, by the Board of Managers of Chevy Chase Village, acting under and by virtue of the authority granted to it by §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, and Section 77-14 of the Village

Charter that Chapter 3, "Personnel Code", Sec. 3-20 "Retirement and Pension Systems" be enacted to read as follows:

Sec. 3-20. RETIREMENT AND PENSION PLANS.

THE BOARD MAY ELECT TO ADOPT A RETIREMENT, PENSION AND/OR RETIREMENT SAVINGS PLAN AND MAY REQUIRE PARTICIPATION BY ALL SALARIED EMPLOYEES OF THE VILLAGE. THE VILLAGE MAY PARTICIPATE IN A RETIREMENT OR PENSION SYSTEM OPERATED BY OR IN CONJUNCTION WITH THE STATE ON SUCH TERMS AND CONDITIONS AS STATE LAW MAY REQUIRE. THE BOARD MAY ADOPT THE TERMS AND CONDITIONS OF ANY SUCH RETIREMENT, PENSION, OR RETIREMENT SAVINGS PLAN, INCLUDING DESIGNATION OF TRUSTEES OR AUTHORIZED PERSONS, BY RESOLUTION. THE SAID TRUSTEES AND AUTHORIZED PERSONS SHALL HAVE THAT DISCRETION REQUIRED BY LAW IN ADMINISTERING ANY SUCH PLANS.

SECTION 2.

AND BE IT FURTHER ORDAINED AND ORDERED, this 12<sup>th</sup> day of May, 2014, by the Board of Managers of Chevy Chase Village, acting under and by virtue of the authority granted to it by §5-201 *et seq.* of the Local Government Article, Annotated Code of Maryland, and Section 77-14 of the Village Charter that:

- (1) If any part of provision of this ordinance is declared by a court of competent jurisdiction to be invalid, the part of provision held to be invalid shall not affect the validity of the ordinance as a whole or any remaining part thereof; and

(2) This ordinance shall take effect on the 26<sup>th</sup> day of May, provided the same is posted at the Village Office for fourteen (14) days prior thereto.

CHEVY CHASE VILLAGE

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Patricia Baptiste, Chairman  
Board of Managers  
Chevy Chase Village

ATTEST:

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Richard Ruda, Secretary